

1P
3748

[10191/3709]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Hermann GAESSLER et al.
Serial No. : 10/547,190
Filed : May 4, 2006
For : METHOD FOR OPERATING AN HYDRAULIC ACTUATOR, IN PARTICULAR A GAS-EXCHANGE VALVE OF AN INTERNAL COMBUSTION ENGINE
Examiner : Kyle M Riddle
Art Unit : 3748
Confirmation No. : 9174

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
Mail Stop AMENDMENT
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
on
Date: 2/29/2008
Signature: Aaron C. Deditch
TRANSMITTAL (33,863)

SIR:

Transmitted herewith for filing in the above-identified patent application is a *Quayle Amendment*.

While no fees are believed to be due, the Commissioner is authorized, as appropriate and/or necessary, to charge any fees (including any Rule 136(a) extension fees) or credit any overpayment to Deposit Account No. 11-0600. A duplicate copy of this transmittal letter is enclosed for that purpose.

Dated: 2/29/2008

Respectfully submitted,
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(33,863)



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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: *3/8/08*

Signature: *Aaron C. Deitch*

(33,865)

Quayle RESPONSE/COMMUNICATION

SIR:

In response to the Quayle Office Action mailed on January 9, 2008, the two-month response date for which was March 9, 2008, in which the Examiner has stated that the application is in condition for the declaration since it includes the phrase "material to examination" instead of "material to patentability", and that prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11 (453 O.G. 213), the following is submitted. Please reconsider the above-identified application based on the following:

Remarks begin on page 2 of this paper.